

CITY OF ATLANTA
Department of Planning and Community Development
Bureau of Planning, Current Planning Division
55 Trinity Avenue, Suite 3350
(404) 330-6145

APPEAL APPLICATION CHECKLIST

- ____ 1. Complete **application** with notarized signatures.
- ____ 2. Include a **summary** of the events leading to the appeal, the reason for the appeal, and the date if the decision of the administrative official (City staffperson) against which the appeal is made.
- ____ 3. Provide documentation of the exact location and boundaries of the subject property: **City Cadastral map, survey, or written legal description** in metes and bounds.
- ____ 4. Provide **documentation of the decision that is appealed**, e.g., building permit, approved plan or plat. Provide **documents that support appeal**, e.g. historic records, zoning regulations, affidavits. **Six copies** of all documents larger than 8 ½" x 11" must be submitted to ensure distribution to BZA members.
- ____ 5. If an attorney represents the appeal, complete the attached **Authorization of Attorney**.
- ____ 6. **File application** with Bureau of Planning.
- ____ 7. Pay **fee** of \$250.00. Make check payable to "City of Atlanta". Application will not be accepted without the fee.
- ____ 8. Upon filing the appeal, City staff will provide you with a **Notice to the Applicant** which will document the Board of Zoning Adjustment (BZA) hearing date, the Neighborhood Planning Unit (NPU) contact person, and the NPU meeting date. Appeal applications are sent to the NPU for information only.
- ____ 9. Contact **NPU** contact person and attend the meeting. Attendance at the meeting is a courtesy to the NPU.
- ____ 10. Attend Board of Zoning Adjustment (BZA) **public hearing** on the scheduled date.

NOTE: APPELLANT IS NOT REQUIRED TO USE THE FORM PROVIDED BY THE CITY. HOWEVER, IF THE FORM IS NOT USED, SIMILAR INFORMATION SHOULD BE SUBMITTED AS YOUR APPLICATION.

ON THE LAST DAY OF THE APPLICATION PERIOD ("CLOSING DAY"), APPLICANTS MUST SIGN IN AT THE BUREAU OF PLANNING BY 2:00 P.M. TO ENSURE PROCESSING AND SCHEDULING FOR THE CORRESPONDING PUBLIC HEARING DATE. (SEE ATTACHED PUBLIC HEARING SCHEDULE).

**APPLICATION FOR APPEAL OF DECISION OF
ADMINISTRATIVE OFFICER
City of Atlanta**

Date Filed _____ Application Number _____

Name of Applicant _____ Daytime Phone _____

Company Name _____ e-mail _____

Address _____
street city state zip code

Name of Property Owner _____ Phone _____

Address _____
street city state zip code

Description of Property

Address of Property _____ **OR**

the subject property fronts _____ feet on the _____ side of _____
_____ beginning _____ feet from the
_____ corner of _____.

Depth: ____ Area: ____ Land Lot: ____ District: ____, _____ County, GA.

Property is zoned: ____, Council District: ____, Neighborhood Planning Unit: ____

I hereby authorize the staff of the Bureau of Planning to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Bureau of Planning upon filing this application. I swear that all statements herein and attached hereto are true and correct to the best of my knowledge and belief.

Sworn To And Subscribed Before
Me This Day Of ____, 200__.

Applicant

APPLICANT'S NAME IN PRINTED LETTERS

NOTARY PUBLIC

Your appeal should be typewritten and all signatures on the application must be notarized.

Application. Appeals are heard and decided at a regularly-scheduled public hearing by the five-member City of Atlanta Board of Zoning Adjustment (“BZA”). The Bureau of Planning serves as staff to the BZA. All inquiries regarding your application should be directed to this office at (404) 330-6145. The rules of the BZA prevent BZA members from discussing the merits of any case except during the public hearing for that case.

Schedule. There are two closing dates and two public hearings per month. The schedule allows time for regular monthly NPU meetings to occur throughout the City prior to each public hearing. Appeals are sent to the applicable NPU for information purposes, and your appearance at the NPU is a courtesy. When you file your application, you will be notified of the NPU contact person so that you may contact him or her if you wish to appear at the meeting. The schedule of closing and public hearing dates is attached.

Fee. For appeals of a decision of a City staff person, the application fee is \$250.00, without regard to the zoning district in which the subject property is located.

Public Notice. When you file your application, it will be scheduled for a public hearing. The Bureau of Planning will initiate posting of public notice (“an advertisement”, “a legal ad”) for this public hearing so that the public is informed at least 15 days before the date of the public hearing by sending written notice of your application to all property owners whose property is within 300 feet of the subject property, by causing public notice to be placed in the newspaper, and by posting a sign on the subject property.

Refunds for Withdrawn Cases. Requests for withdrawal received 18 days prior to the public hearing will enable a refund of the application fee.

Public Hearing Presentation. Each appellant or representative of the appellant must appear and present the case before the BZA at the scheduled public hearing, or request a deferral in writing prior to the public hearing. The party representing the appeal is allowed a total of ten minutes to present the application. A portion of this time may be saved for rebuttal to any objections to the variance. You may choose to bring copies of documents or exhibits such as enlarged plans; this is not required but is purely at your discretion. Any exhibits that are filed with the City at the hearing should be capable of being stored in the 11” x 17” City file, so please do not permanently affix exhibits to a stiff backing.

BZA Decision. The BZA shall sustain (approve) an appeal upon finding that the appealed decision was based on an error in material fact or that the administrative officer (staff person) who made the decision acted in an arbitrary or capricious manner. The BZA may reverse or affirm, wholly or partly, or may modify the appealed decision. To that end, the BZA has all the authority of the staff person whose decision is appealed, and may issue or direct the issuance of a permit, provided that all requirements imposed by the applicable laws are met. The City Council does not make decisions regarding appeals that come before the BZA. The staff of Bureau of Planning does not make a recommendations to the BZA on appeal applications.

AUTHORIZATION OF ATTORNEY

(Required only if the appellant is represented by an attorney.)

NAME

ADDRESS

CITY

STATE

ZIP CODE

DAYTIME TELEPHONE NUMBER

I SWEAR, AS AN ATTORNEY AT LAW, THAT I HAVE BEEN AUTHORIZED
BY THE SUBJECT PROPERTY OWNER TO FILE THE ATTACHED APPLICATION.

SIGNATURE OF ATTORNEY